

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 335 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 25-1-2-2.1, AS AMENDED BY P.L.87-2005,
- 4       SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5       JULY 1, 2007]: Sec. 2.1. Rather than being issued annually, the
- 6       following permits, licenses, certificates of registration, or evidences of
- 7       authority granted by a state agency must be issued for a period of two
- 8       (2) years or for the period specified in the article under which the
- 9       permit, license, certificate of registration, or evidence of authority is
- 10      issued if the period specified in the article is longer than two (2) years:
- 11      (1) Certified public accountants, public accountants, and
- 12      accounting practitioners.
- 13      (2) Architects and landscape architects.
- 14      (3) Dry cleaners.
- 15      (4) Professional engineers.
- 16      (5) Land surveyors.
- 17      (6) Real estate brokers.
- 18      (7) Real estate agents.
- 19      (8) Security dealers' licenses issued by the securities
- 20      commissioner.
- 21      (9) Dental hygienists.
- 22      (10) Dentists.
- 23      (11) Veterinarians.
- 24      (12) Physicians.
- 25      (13) Chiropractors.
- 26      (14) Physical therapists.
- 27      (15) Optometrists.
- 28      (16) Pharmacists and assistants, drugstores or pharmacies.
- 29      (17) Motels and mobile home community licenses.
- 30      (18) Nurses.
- 31      (19) Podiatrists.

- 1 (20) Occupational therapists and occupational therapy assistants.
- 2 (21) Respiratory care practitioners.
- 3 (22) Social workers, marriage and family therapists, and mental
- 4 health counselors.
- 5 (23) Real estate appraiser licenses and certificates issued by the
- 6 real estate appraiser licensure and certification board.
- 7 (24) Wholesale legend drug distributors.
- 8 (25) Physician assistants.
- 9 (26) Dietitians.
- 10 ~~(27) Hypnotists.~~
- 11 ~~(28)~~ (27) Athlete agents.
- 12 ~~(29)~~ (28) Manufactured home installers.
- 13 ~~(30)~~ (29) Home inspectors.

14 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS  
 15 [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) As used in this section,  
 16 "license" includes all occupational and professional licenses,  
 17 registrations, permits, and certificates issued under the Indiana Code,  
 18 and "licensee" includes all occupational and professional licensees,  
 19 registrants, permittees, and certificate holders regulated under the  
 20 Indiana Code.

21 (b) This section applies to the following entities that regulate  
 22 occupations or professions under the Indiana Code:

- 23 (1) Indiana board of accountancy.
- 24 (2) Indiana grain buyers and warehouse licensing agency.
- 25 (3) Indiana auctioneer commission.
- 26 (4) Board of registration for architects and landscape architects.
- 27 (5) State board of barber examiners.
- 28 (6) State board of cosmetology examiners.
- 29 (7) Medical licensing board of Indiana.
- 30 (8) Secretary of state.
- 31 (9) State board of dentistry.
- 32 (10) State board of funeral and cemetery service.
- 33 (11) Worker's compensation board of Indiana.
- 34 (12) Indiana state board of health facility administrators.
- 35 (13) Committee of hearing aid dealer examiners.
- 36 (14) Indiana state board of nursing.
- 37 (15) Indiana optometry board.
- 38 (16) Indiana board of pharmacy.
- 39 (17) Indiana plumbing commission.
- 40 (18) Board of podiatric medicine.
- 41 (19) Private detectives licensing board.
- 42 (20) State board of registration for professional engineers.
- 43 (21) Board of environmental health specialists.
- 44 (22) State psychology board.
- 45 (23) Indiana real estate commission.
- 46 (24) Speech-language pathology and audiology board.
- 47 (25) Department of natural resources.

- 1 (26) State boxing commission.
- 2 (27) Board of chiropractic examiners.
- 3 (28) Mining board.
- 4 (29) Indiana board of veterinary medical examiners.
- 5 (30) State department of health.
- 6 (31) Indiana physical therapy committee.
- 7 (32) Respiratory care committee.
- 8 (33) Occupational therapy committee.
- 9 (34) Social worker, marriage and family therapist, and mental
- 10 health counselor board.
- 11 (35) Real estate appraiser licensure and certification board.
- 12 (36) State board of registration for land surveyors.
- 13 (37) Physician assistant committee.
- 14 (38) Indiana dietitians certification board.
- 15 ~~(39) Indiana hypnotist committee.~~
- 16 ~~(40)~~ (39) Attorney general (only for the regulation of athlete
- 17 agents).
- 18 ~~(41)~~ (40) Manufactured home installer licensing board.
- 19 ~~(42)~~ (41) Home inspectors licensing board.
- 20 ~~(43)~~ (42) Any other occupational or professional agency created
- 21 after June 30, 1981.

22 (c) Notwithstanding any other law, the entities included in  
 23 subsection (b) shall send a notice of the upcoming expiration of a  
 24 license to each licensee at least sixty (60) days prior to the expiration  
 25 of the license. The notice must inform the licensee of the need to renew  
 26 and the requirement of payment of the renewal fee. If this notice of  
 27 expiration is not sent by the entity, the licensee is not subject to a  
 28 sanction for failure to renew if, once notice is received from the entity,  
 29 the license is renewed within forty-five (45) days of the receipt of the  
 30 notice.

31 SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.157-2006,  
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2007]: Sec. 0.3. As used in section 3 of this chapter, "board"  
 34 means any of the following:

- 35 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 36 (2) Board of registration for architects and landscape architects
- 37 (IC 25-4-1-2).
- 38 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 39 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 40 (5) State board of barber examiners (IC 25-7-5-1).
- 41 (6) State boxing commission (IC 25-9-1).
- 42 (7) Board of chiropractic examiners (IC 25-10-1).
- 43 (8) State board of cosmetology examiners (IC 25-8-3-1).
- 44 (9) State board of dentistry (IC 25-14-1).
- 45 (10) Indiana dietitians certification board (IC 25-14.5-2-1).
- 46 (11) State board of registration for professional engineers
- 47 (IC 25-31-1-3).

- 1 (12) Board of environmental health specialists ~~(IC 25-32)~~.
- 2 **(IC 25-32-1).**
- 3 (13) State board of funeral and cemetery service (IC 25-15-9).
- 4 (14) Indiana state board of health facility administrators
- 5 (IC 25-19-1).
- 6 (15) Committee on hearing aid dealer examiners (IC 25-20-1-1.5).
- 7 (16) Home inspectors licensing board (IC 25-20.2-3-1).
- 8 ~~(17) Indiana hypnotist committee (IC 25-20.5-1-7).~~
- 9 ~~(18)~~ **(17)** State board of registration for land surveyors
- 10 (IC 25-21.5-2-1).
- 11 ~~(19)~~ **(18)** Manufactured home installer licensing board
- 12 (IC 25-23.7).
- 13 ~~(20)~~ **(19)** Medical licensing board of Indiana (IC 25-22.5-2).
- 14 ~~(21)~~ **(20)** Indiana state board of nursing (IC 25-23-1).
- 15 ~~(22)~~ **(21)** Occupational therapy committee (IC 25-23.5).
- 16 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
- 17 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
- 18 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27-1).
- 19 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
- 20 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
- 21 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
- 22 ~~(29)~~ **(28)** Private detectives licensing board (IC 25-30-1-5.1).
- 23 ~~(30)~~ **(29)** State psychology board (IC 25-33).
- 24 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
- 25 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
- 26 (IC 25-34.1-8).
- 27 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
- 28 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
- 29 mental health counselor board (IC 25-23.6).
- 30 ~~(35)~~ **(34)** Speech-language pathology and audiology board
- 31 (IC 25-35.6-2).
- 32 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
- 33 (IC 15-5-1.1).".

34 Page 3, between lines 9 and 10, begin a new paragraph and insert:  
 35 "SECTION 6. IC 25-1-5-3, AS AMENDED BY P.L.206-2005,  
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2007]: Sec. 3. (a) There is established the Indiana professional  
 38 licensing agency. The agency shall perform all administrative  
 39 functions, duties, and responsibilities assigned by law or rule to the  
 40 executive director, secretary, or other statutory administrator of the  
 41 following:

- 42 (1) Board of chiropractic examiners (IC 25-10-1).
- 43 (2) State board of dentistry (IC 25-14-1).
- 44 (3) Indiana state board of health facility administrators
- 45 (IC 25-19-1).
- 46 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 47 (5) Indiana state board of nursing (IC 25-23-1).

- 1 (6) Indiana optometry board (IC 25-24).
- 2 (7) Indiana board of pharmacy (IC 25-26).
- 3 (8) Board of podiatric medicine (IC 25-29-2-1).
- 4 (9) Board of environmental health specialists (IC 25-32).
- 5 (10) Speech-language pathology and audiology board
- 6 (IC 25-35.6-2).
- 7 (11) State psychology board (IC 25-33).
- 8 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 9 (13) Controlled substances advisory committee (IC 35-48-2-1).
- 10 (14) Committee of hearing aid dealer examiners (IC 25-20).
- 11 (15) Indiana physical therapy committee (IC 25-27).
- 12 (16) Respiratory care committee (IC 25-34.5).
- 13 (17) Occupational therapy committee (IC 25-23.5).
- 14 (18) Social worker, marriage and family therapist, and mental
- 15 health counselor board (IC 25-23.6).
- 16 (19) Physician assistant committee (IC 25-27.5).
- 17 (20) Indiana athletic trainers board (IC 25-5.1-2-1).
- 18 (21) Indiana dietitians certification board (IC 25-14.5-2-1).
- 19 ~~(22) Indiana hypnotist committee (IC 25-20.5-1-7).~~

20 (b) Nothing in this chapter may be construed to give the agency  
21 policy making authority, which authority remains with each board.

22 SECTION 7. IC 25-1-5-10, AS AMENDED BY P.L.206-2005,  
23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2007]: Sec. 10. (a) As used in this section, "provider" means  
25 an individual licensed, certified, registered, or permitted by any of the  
26 following:

- 27 (1) Board of chiropractic examiners (IC 25-10-1).
- 28 (2) State board of dentistry (IC 25-14-1).
- 29 (3) Indiana state board of health facility administrators
- 30 (IC 25-19-1).
- 31 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 32 (5) Indiana state board of nursing (IC 25-23-1).
- 33 (6) Indiana optometry board (IC 25-24).
- 34 (7) Indiana board of pharmacy (IC 25-26).
- 35 (8) Board of podiatric medicine (IC 25-29-2-1).
- 36 (9) Board of environmental health specialists (IC 25-32-1).
- 37 (10) Speech-language pathology and audiology board
- 38 (IC 25-35.6-2).
- 39 (11) State psychology board (IC 25-33).
- 40 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 41 (13) Indiana physical therapy committee (IC 25-27).
- 42 (14) Respiratory care committee (IC 25-34.5).
- 43 (15) Occupational therapy committee (IC 25-23.5).
- 44 (16) Social worker, marriage and family therapist, and mental
- 45 health counselor board (IC 25-23.6).
- 46 (17) Physician assistant committee (IC 25-27.5).
- 47 (18) Indiana athletic trainers board (IC 25-5.1-2-1).

(19) Indiana dietitians certification board (IC 25-14.5-2-1).

~~(20) Indiana hypnotist committee (IC 25-20.5-1-7).~~

(b) The agency shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

(1) The provider's name.

(2) The provider's license, certification, registration, or permit number.

(3) The provider's license, certification, registration, or permit type.

(4) The date the provider's license, certification, registration, or permit was issued.

(5) The date the provider's license, certification, registration, or permit expires.

(6) The current status of the provider's license, certification, registration, or permit.

(7) The provider's city and state of record.

(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The agency shall make provider profiles available to the public.

(e) The computer gateway administered by the office of technology established by IC 4-13.1-2-1 shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The agency may adopt rules under IC 4-22-2 to implement this section.

SECTION 8. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

- 1 (4) State board of barber examiners (IC 25-7-5-1).
- 2 (5) State boxing commission (IC 25-9-1).
- 3 (6) Board of chiropractic examiners (IC 25-10-1).
- 4 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 5 (8) State board of dentistry (IC 25-14-1).
- 6 (9) State board of funeral and cemetery service (IC 25-15-9).
- 7 (10) State board of registration for professional engineers
- 8 (IC 25-31-1-3).
- 9 (11) Indiana state board of health facility administrators
- 10 (IC 25-19-1).
- 11 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 12 (13) Indiana state board of nursing (IC 25-23-1).
- 13 (14) Indiana optometry board (IC 25-24).
- 14 (15) Indiana board of pharmacy (IC 25-26).
- 15 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 16 (17) Board of podiatric medicine (IC 25-29-2-1).
- 17 (18) Board of environmental health specialists (IC 25-32-1).
- 18 (19) State psychology board (IC 25-33).
- 19 (20) Speech-language pathology and audiology board
- 20 (IC 25-35.6-2).
- 21 (21) Indiana real estate commission (IC 25-34.1-2).
- 22 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 23 (23) Department of natural resources for purposes of licensing
- 24 water well drillers under IC 25-39-3.
- 25 (24) Respiratory care committee (IC 25-34.5).
- 26 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 27 (26) Occupational therapy committee (IC 25-23.5).
- 28 (27) Social worker, marriage and family therapist, and mental
- 29 health counselor board (IC 25-23.6).
- 30 (28) Real estate appraiser licensure and certification board
- 31 (IC 25-34.1-8).
- 32 (29) State board of registration for land surveyors
- 33 (IC 25-21.5-2-1).
- 34 (30) Physician assistant committee (IC 25-27.5).
- 35 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 36 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 37 ~~(33) Indiana hypnotist committee (IC 25-20.5-1-7).~~
- 38 ~~(34)~~ (33) Indiana physical therapy committee (IC 25-27).
- 39 ~~(35)~~ (34) Manufactured home installer licensing board
- 40 (IC 25-23.7).
- 41 ~~(36)~~ (35) Home inspectors licensing board (IC 25-20.2-3-1).
- 42 ~~(37)~~ (36) Any other occupational or professional agency created
- 43 after June 30, 1981."
- 44 Page 4, strike line 23.
- 45 Page 4, delete lines 24 through 42, begin a new line block indented
- 46 and insert:
- 47 "~~(18)~~ (17) State board of registration for land surveyors

- 1 (IC 25-21.5-2-1).
- 2 ~~(19)~~ **(18)** Manufactured home installer licensing board
- 3 (IC 25-23.7).
- 4 ~~(20)~~ **(19)** Medical licensing board of Indiana (IC 25-22.5-2).
- 5 ~~(21)~~ **(20)** Indiana state board of nursing (IC 25-23-1).
- 6 ~~(22)~~ **(21)** Occupational therapy committee (IC 25-23.5).
- 7 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
- 8 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
- 9 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27).
- 10 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
- 11 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
- 12 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
- 13 ~~(29)~~ **(28)** Private detectives licensing board (IC 25-30-1-5.1).
- 14 ~~(30)~~ **(29)** State psychology board (IC 25-33).
- 15 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
- 16 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
- 17 (IC 25-34.1-8).
- 18 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
- 19 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
- 20 mental health counselor board (IC 25-23.6).
- 21 ~~(35)~~ **(34)** Speech-language pathology and audiology board
- 22 (IC 25-35.6-2).
- 23 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
- 24 (IC 15-5-1.1).".

25 Page 5, delete lines 1 through 3.

26 Page 7, between lines 28 and 29, begin a new paragraph and insert:  
27 "SECTION 11. IC 25-1-9-1 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this  
29 chapter, "board" means any of the following:

- 30 (1) Board of chiropractic examiners (IC 25-10-1).
- 31 (2) State board of dentistry (IC 25-14-1).
- 32 (3) Indiana state board of health facility administrators
- 33 (IC 25-19-1).
- 34 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 35 (5) Indiana state board of nursing (IC 25-23-1).
- 36 (6) Indiana optometry board (IC 25-24).
- 37 (7) Indiana board of pharmacy (IC 25-26).
- 38 (8) Board of podiatric medicine (IC 25-29-2-1).
- 39 (9) Board of environmental health specialists (IC 25-32).
- 40 (10) Speech-language pathology and audiology board
- 41 (IC 25-35.6-2).
- 42 (11) State psychology board (IC 25-33).
- 43 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 44 (13) Indiana physical therapy committee (IC 25-27-1).
- 45 (14) Respiratory care committee (IC 25-34.5).
- 46 (15) Occupational therapy committee (IC 25-23.5).
- 47 (16) Social worker, marriage and family therapist, and mental



- 1 health counselor board (IC 25-23.6).
  - 2 (17) Physician assistant committee (IC 25-27.5).
  - 3 (18) Indiana athletic trainers board (IC 25-5.1-2-1).
  - 4 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
  - 5 ~~(20) Indiana hypnotist committee (IC 25-20.5-1-7).~~
  - 6 Page 18, line 36, delete "for at least six (6)".
  - 7 Page 18, line 37, delete "months in a cosmetology salon".
  - 8 Page 19, line 37, after "must" delete ":" and insert **"meet the**
  - 9 **following requirements:"**.
  - 10 Page 19, line 8, delete "do" and insert **"Do"**.
  - 11 Page 19, line 8, delete "more" and insert **"both"**.
  - 12 Page 19, line 15, delete ";" and insert ".".
  - 13 Page 19, line 16, delete "if" and insert **"If"**.
  - 14 Page 19, line 18, delete ";" and insert ".".
  - 15 Page 19, line 19, delete "install" and insert "Install".
  - 16 Page 19, line 20, delete ";" and insert ".".
  - 17 Page 19, line 20, strike "and".
  - 18 Page 19, line 21, delete "submit" and insert "Submit".
  - 19 Page 19, line 28, after "must" delete ":" and insert **"meet the**
  - 20 **following requirements:"**.
  - 21 Page 19, line 29, delete "do" and insert **"Do"**.
  - 22 Page 19, line 29, delete "more" and insert **"both"**.
  - 23 Page 19, line 36, delete ";" and insert ".".
  - 24 Page 19, line 37, delete "if" and insert **"If"**.
  - 25 Page 19, line 42, delete ";" and insert ".".
  - 26 Page 20, line 1, delete "install" and insert "Install".
  - 27 Page 20, line 2, delete "; and" and insert ".".
  - 28 Page 20, line 3, delete "submit" and insert "Submit".
  - 29 Page 29, line 40, reset in roman ".".
  - 30 Page 49, line 5, after "IC 25-8-16" insert "; IC 25-20.5-1".
  - 31 Renumber all SECTIONS consecutively.
- (Reference is to SB 335 as printed February 23, 2007.)

---

Senator MEEKS